

## REGIONAL MUNICIPALITY OF NIAGARA

### PROCEEDINGS OF COUNCIL

#### REPORT CL 3-2006

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The Municipal Council of the Regional Municipality of Niagara met in Closed Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, March 2, 2006 commencing at 6:37 p.m.

#### ATTENDANCE

Council: Regional Chairman Partington; Councillors Almas; Angelone; Bailey, Baty; Bentley; Bodner; Burroughs; Casselman; Collins; Eke; Gabriel; Harry; Heit; Hildreth; Hodgson; Katzman; Leavens; Marshall; Martin; Redekop; Salci; Saracino Smeaton; Timms; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Cambray, Commissioner, Planning and Development; Nicol, Commissioner, Human Resources; Neville, Commissioner of Public Works; Diakow, Acting Commissioner of Corporate Services; Hutchings, Commissioner, Community Services; Dr. Williams, Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Acting Deputy Clerk.

#### Staff

(Part-Time): Messrs. Bowles, Executive Assistant to the Regional Chair; Kyne, Director, Legal Services; Robson, Director, Community Integration; Friesen, Director, Waste Management Services; Mucciarelli, Associate Director, Waste Disposal Operations; Ms. St. John, Director, Clinical Services; Ms. Rae, Legal Counsel; Ms. Staines, Legislative Assistant.

#### CLOSED COMMITTEE OF THE WHOLE

70. Moved by Councillor Burroughs  
Seconded by Councillor Harry

That this Council do now move into Closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to legal, personnel and property matters.

Carried.

71. A Matter Concerning the Security of Regional Property, Litigation or Potential Litigation and/or Solicitor/Client Advice  
**PWA 40-2006 Confidential**

Moved by Councillor Heit  
Seconded by Councillor Smeaton

That Confidential Report PWA 40-2006, February 22, 2006, respecting the a Matter Concerning the Security of Regional Property, Litigation or Potential Litigation and/or Solicitor/Client Advice, be received and the recommendations contained therein be approved ***as amended by authorizing staff to proceed as authorized.***

Carried.

### **CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT**

72. Moved by Councillor Eke  
Seconded by Councillor Goulbourne

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:10 p.m. with an Invocation by Councillor Saracino, followed by the singing of 'O Canada'.

### **2006 CURRENT BUDGET PUBLIC MEETING**

73. Councillor Jim Collard, Town of Niagara-on-the-Lake

Councillor Jim Collard, Town of Niagara-on-the-Lake addressed Regional Council on the topic of tax fairness for common services.

Councillor Collard noted that Report CSD 14-2006 recognizes that the Town of Niagara-on-the-Lake pays approximately 22% more taxes to the Region than would be collected if taxes were collected in a manner other than one based on property value. The report addresses the reasons for the higher than average assessment and recognizes that downloading of provincial responsibilities to the Region has created a 41% increase in Regional taxes on property.

Councillor Collard advised Regional Council that we all in this together, Niagara-on-the-Lake as in Niagara Falls, Fort Erie, Grimsby, Pelham and Lincoln all pay more for the same Region services than they should.

Councillor Collard advised Regional Council that we need to lobby the province to allow for options in the manner Niagara Region collects and pays for common services rendered and compel Queen's Park to listen. Niagara Region as whole is invited to join Niagara-on-the-Lake in having the Provincial Legislature give Niagara Region a choice.

Regional Council was asked to what they have to do, collect taxes to pay for the mandated services only, to bring in a budget that is as close to zero as possible.

74. Councillor Austin Kirkby, Town of Niagara-on-the-Lake

Councillor Austin Kirkby, Town of Niagara-on-the-Lake addressed Regional Council as a citizen of Niagara-on-the-Lake that is extremely concerned about the manner in which the cost for Regional services is distributed across the municipalities and the effect that it has on Niagara-on-the-Lake.

Niagara-on-the-Lake is attracting citizens who can afford to pay more for some properties and the assessment increases and the increased costs of Regional services, however, the individuals who are living beside these properties, on a fixed income; individuals who can't afford to pay the increased taxes are being assessed at a higher rate as their neighbourhood assessments rise. These individuals are leaving Niagara-on-the-Lake because they can no longer afford to live.

Councillor Kirkby noted that Niagara-on-the-Lake is not receiving an increase in services to warrant the increased cost to the citizens.

Regional Council was asked to help in fighting for provincial changes that would allow Niagara Region to apportion the cost for Regional services across the municipalities in a more equitable manner.

Moved by Councillor Eke  
Seconded by Councillor Martin

That both presentations be referred to staff for a report that provides details and comments on Community Reinvestment Fund (CRF) and the Ontario Municipal Partnership Fund (OMPF), as well as the 1998 capping and claw backs figures for all municipalities.

Carried.

### **ADOPTION OF THE AGENDA**

75. Moved by Councillor Baty  
Seconded by Councillor Timms

That the Council Agenda CL 3-2006 be adopted as presented.

Carried.

### **CONFLICTS OF INTEREST**

Councillor Heit declared an indirect pecuniary interest with respect to any matters that deal with wireless communication as he is employed by a wireless communication company and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Marshall declared an indirect pecuniary interest with respect to any matters relating to the Niagara Health System as he is employed by the Niagara Health System and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Zimmerman declared an indirect pecuniary interest with respect to any matters relating to property tax matters, as she is Chair of the Municipal Property Assessment Corporation and she therefore took no part in the discussion of, or voting on, these matters.

### **PRESENTATIONS**

76. New Regional Niagara Bicycling Map

Councillor Leavens, Chair of the Regional Niagara Bicycling Committee announced the release of the second edition of the award winning Bicycling Map for the Niagara Region.

Councillor Leavens noted that the Regional Niagara Bicycling Map was first produced in 2003, and was an instant hit amongst its users, the map won national recognition for its cartography, and was featured in the media. The new full colour fold-out map benefits cyclists of all skill and age levels; contains new information on major multi-use trail systems in Niagara such as the nation-wide Trans-Canada Trail system; the province-wide Waterfront Trail system and the Regional Greater Niagara Circle Route. The map is about bringing people to experience the rural beauty and attractions throughout Niagara, including the Niagara Escarpment, Conservation Areas, Short Hills, beaches, wineries, villages, scenic waterways, golf course, etc.

The map is available for a small \$2 voluntary donation to help ensure that this product is not a burden on the taxpayer and to help finance its continued production.

Councillor Leavens thanked Regional staff and volunteers who have made this map possible.

77. Project Niagara – A Premier International Music Festival

Dr. Rosemary Hale, Dean of Humanities at Brock University thanked Regional Council for creating the Regional Arts and Culture Committee. Dr. Hale noted the Committee's goals are in proportion with the Project Niagara initiative and that they look forward to working with the consultants.

Ms. Kari Cullen and Mr. Jon Linton provided Regional Council with a presentation on Project Niagara – *A Premier International Music Festival*, which is in its initial phase. Ms. Cullen and Mr. Linton are in Niagara to establish contacts, inform, solicit feedback and input and discuss partnership opportunities. Regional Council was provided with some background on how the project initialized and how Niagara was chosen as the proposed logical location for such a venue. The vision of the project was for a classical music festival that does not merely replicate an existing festival and provides for opportunities to create a summer music festival of the 21<sup>st</sup> century, a destination cultural attraction.

Mr. Linton provided Regional Council with the benefits of such a venue in Niagara to the Toronto Symphony/National Arts Council of Ontario; the Niagara Region; the Province of Ontario and Canada.

The process the study will follow will begin with articulation and testing of the concept, which will result in the estimates for key parameters; demonstrate the on-going viability, sustainability of the concept in the Niagara Region; validate the anticipated benefits and outline the next steps (phase 2). Phase 2 will involve detailed implementation planning; acquire funding commitments and political support; more detailed planning and analysis and require intensive local involvement. The expecting timing of the project will facilitate a Phase 2 report being completed during the first quarter of 2007.

Ms. Cullen and Mr. Linton advised Regional Council that they would welcome any suggestions or comments on Project Niagara.

Ms. Cullen noted that Falls Management are interested in the concept and that they could be a contributor to the project.

Regional Council suggested an international character to the festival by making it a joint Niagara presentation, drawing Americans and Canadians to the festival; using Art Park as an interim site to test the initiative and noted that the Township of Wainfleet has suitable land available for a music festival.

Ms. Cullen asked that the Regional Councillors forward any suggestions of information for Ms. Cullen or Mr. Linton to the Arts and Culture Committee.

Moved by Councillor Casselman  
Seconded by Councillor Angelone

That the presentation respecting Project Niagara – *A Premier International Music Festival*, be received.

Carried.

(Refer to Staff Directions)

78. **CHAIRMAN'S REMARKS**

Regional Chair Partington thanked both staff and Regional Council for their work and diligence throughout the 2006 Budget process.

Regional Chair Partington reminded Regional Councillors of the Business Planning Session on March 9<sup>th</sup>, where Regional Council will be reviewing the 2006 – 2006 Council Business Plan and Niagara Week and Niagara's plans to intensify Niagara's transportation infrastructure.

Regional Chair Partington advised Regional Council that Mr. Trojan and a number of senior community leaders have been exploring the idea of bringing a community-based leadership program to Niagara. Community programs exist in many parts of Canada and the United States; they exist to ensure system-thinking leaders who have vision, energy and skills to facilitate growth of individuals and community.

Regional Chair Partington thanked Peter Bulk Greenhouses from Welland for the lovely flowers.

**APPROVAL OF MINUTES**

79. **Report 1-2006**

Moved by Councillor Bentley  
Seconded by Councillor Casselman

That Report 1-2006, being the minutes of the Committee of the Whole meeting of Thursday, February 9, 2006, be approved and adopted as amended during the March 2, 2006 Committee of the Whole meeting to address an error in the formula for self hauled tonnages.

Carried.

80. Report 2-2006

Moved by Councillor Almas  
Seconded by Councillor Marshall

That Report 2-2006, being the minutes of the Proceedings of Council of Thursday, February 9, 2006, be approved and adopted.

Carried.

**CORRESPONDENCE**

81. Communications were received and dealt with as follows:

Moved by Councillor Bailey  
Seconded by Councillor Burroughs

That Communications C6749 and C6750, be received and dealt with as noted in the Council Agenda and Addendum.

C6749 City of Thorold resolution (February 10, 2006) respecting Twinning the Cities of Lockport, New York and Thorold, Ontario.

Received.

C6750 Rick Everdell, Project Director, Niagara Tunnel Project, Ontario Power Generation Inc. (February 10, 2006) respecting a cheque for \$1,200,000.00 for compensation under Clause 48 (d) of the Community Impact Agreement to cover certain costs to the municipality for the Niagara Tunnel Project, Phase I of the Niagara River Hydroelectric Development.

Received.

Carried.

82. Moved by Councillor Burroughs  
Seconded by Councillor Harry

That Communication Item C6751 a letter from Councillor David Eke, Chair, Niagara Regional Housing, requesting support to secure an appropriate level of Federal funding for its capital program, be received and supported.

Carried.

**RESOLUTION FROM OTHER MUNICIPALITIES**

83. Moved by Councillor Eke  
Seconded by Councillor Bentley

That the resolution from the City of Kawartha Lakes, respecting the Municipal Property Assessment Corporation (MPAC), be referred to staff for consideration.

Carried.

**CONFLICT OF INTEREST**

Councillor Heit declared an indirect pecuniary interest with respect to Planning and Public Works Committee, Minute Item 163, Renegotiation of Area 1 Collection Contract, as the contractor is a client of his, he therefore took no part in the discussion of, or voting on, these matters.

**COMMITTEE REPORTS**

**PLANNING AND PUBLIC WORKS COMMITTEE**

84. Report 3-2006

Moved by Councillor Smeaton  
Seconded by Councillor Burroughs

That Report 3-2006 being the minutes of the Planning and Public Works Committee meeting of Wednesday, February 22, 2006, be approved and adopted with Councillor Hildreth's name added to the attendance.

Carried.

(Refer to Staff Directions)

85. Report 4-2006

Moved by Councillor Smeaton  
Seconded by Councillor Burroughs

That Report 4-2006 being the minutes of the Planning and Public Works Committee meeting of Tuesday, February 28, 2006, be approved and adopted.

Carried.

**CORPORATE SERVICES COMMITTEE**

86. Report 3-2006

Moved by Councillor Martin  
Seconded by Councillor Collins

That Report 3-2006 being the minutes of the Corporate Services Committee meeting of Wednesday, February 22, 2006, be approved and adopted with Councillor Hildreth's name added to the attendance.

Carried.

87. Alternative Service Delivery Provider  
**Revised CSD 24-2006**

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Revised Report CSD 24-2005, Process to Request Alternative Service Provider, be released to the public.

Carried.

**PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE**

88. Report 3-2006

Moved by Councillor Timms  
Seconded by Councillor Marshall

That Report 3-2006 being the minutes of the Public Health and Social Services Committee meeting of Tuesday, February 21, 2006. be approved and adopted.

Carried.

**COMMITTEE OF THE WHOLE**

89. Report 1-2006

Moved by Councillor Martin  
Seconded by Councillor Collins

That the decisions made in the Committee of the Whole meeting of Thursday, March 2, 2006, be approved and adopted.

Carried.

Councillor Eke requested that he be recorded as opposed to the approval of the 2006 Current Budget.

**NOTICE OF MOTION**

90. Councillor Zimmerman brought forward a Notice of Motion, respecting the formation of a Task Force on the Niagara to GTA Corridor, with partners from Hamilton, Haldimand and Burlington for approval at the March 23, 2006 Regional Council meeting.

**OTHER BUSINESS**

91. Child Poverty in Niagara

Councillor Casselman made note of an article that appeared in the March 1, 2006 issue of the Toronto Star entitled "Poverty hits one in six kids in Ontario". The article notes that the federal government had promised in 1989 to eliminate child poverty by 2000, however, the child poverty rate in Ontario reached 16.1 per cent in 2003, compared with 11.6 per cent in 1989. The article also states that "Good quality child care is one essential pathway out of poverty".

(Refer to Staff Directions)

92. Port Colborne – 7<sup>th</sup> Annual Sports Fest

Councillor Bodner congratulated Niagara Region, Dunnville, Grimsby and Fort Erie the winners of the Mayor's Cup Hockey Tournament that was held as part of the 7<sup>th</sup> Annual Sports Fest.

93. Congratulations!

Regional Council extended their congratulations to Mr. Calvin Reid, who has been promoted to the Editorial Department at the St. Catharines Standard.

94. Next Meeting – Council Organization Review Committee

Councillor Baty advised Regional Council of the next Council Organization Review Committee meeting, which is being held on March 7, 2006 at 3:00 p.m. in C.R. 3.

**BY-LAWS**

95. Moved by Councillor Baty  
Seconded by Councillor Timms

That the following bills be now read and do pass:

**Bill 11**

A by-law to Appoint Acting Treasurers (repeals by-law 56-2000).

**Bill 12**

A by-law to adopt the 2006 Current Budget for The Regional Municipality of Niagara.

**Bill 14**

A by-law to establish part of Lot 22, Concession 5, part of Road Allowance between Concessions 5 and 6 (Closed) and part of Lot 22, Concession 6, in The City of St. Catharines as part of Regional Road No. 77 (Fourth Avenue).

**Bill 15**

A by-law to authorize Long-Term Financing (1–10 Years) in the amount of \$1,155,763 for various projects in the 2006 Capital Budget for Niagara Regional Housing.

**Bill 16**

A by-law to authorize Long-Term Financing (1-10 Years) in the amount of \$930,000 for various projects in the 2006 Waste Management Capital Program.

**Bill 17**

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 2<sup>nd</sup> of March, 2006.

Carried.

96. Moved by Councillor Bodner  
Seconded by Councillor Hodgson

That the following bills be now read and do pass:

**Bill 18**

A by-law to provide for the adoption of Amendment 198 to the Official Plan for the Niagara Planning Area to provide for an expansion to the Law Quarry in the Township of Wainfleet.

Carried.

### **STAFF DIRECTIONS**

Staff was requested to:

- forward a copy of the unrevised report respecting Alternative Service Delivery Provider to the Niagara Regional Police Services Board.
- provide Regional Council with a schedule of when each labour contract expires and a revised Human Resources strategy to deal with the contracts.
- proceed with negotiations on any contracts that expire prior to the end of this term of Council, leaving the wage portion of negotiations until the new Council is in place.
- distribute a copy of the presentation to the members of the Arts & Culture Committee. (Refers to Minute Item # 77)
- Staff was directed to include commercial and business districts and hospitals as part of the Waste Management Level of Service Review (PWP 17-2006) (Refers to Minute Item # 84)
- prepare a report on child poverty in Niagara and reviews the study that was released on March 1, 2006 on Child Poverty. (Refers to Minute Item # 91)

### **ADJOURNMENT**

The Council meeting adjourned at 9:35 p.m.

Peter Partington  
Regional Chairman

Janet Pilon  
Acting Deputy Clerk

Pam Gilroy  
Regional Clerk